

REMARKS

This Response is submitted in response to the Office Action dated June 4, 2003. Applicants amended the Specification to correct a typographical error. No new matter has been added to the Specification.

A Petition for a two-month extension of time to respond to the Office Action is submitted herewith. A check in the amount of \$420.00 is submitted herewith to cover the cost of the two-month extension. Please charge Deposit Account No. 02-1818 for any insufficiency or credit for any overpayment.

Specification

The Office Action objected to the Specification because of the following informality: line 2, page 1 of the Specification recites the priority application serial number "09/698,310." The Office Action stated that this appears to be a typographical error and is inconsistent with the application serial number for the C-I-P recited in the oath/declaration as 09/689,310. Applicants have amended the Specification to reflect the correct serial number of 09/689,310. Applicants respectfully submit that such amendment overcomes the objection to the Specification.

Claim Rejections – 35 USC §103

The Office Action rejected Claims 1 to 74 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,519,825 to Naughton, et al. ("Naughton") in view of U.S. Patent No. 6,409,604 to Matsuno ("Matsuno"). Applicants respectfully disagree with and traverse this rejection for the reasons set forth below. Applicants have amended the Claims to clarify that the gaming device and method of the present invention include a game operable upon a wager, not for purposes of patentability or to distinguish over the references of record.

Based on the review of Naughton and Matsuno, applicants respectfully submit that the Office Action includes a misinterpretation of Matsuno. Because of this, Applicants respectfully submit that Claims 1 to 74 are patentable over the combination of Naughton and Matsuno.

Matsuno

The Office Action stated that "[i]n an analogous gaming system that displays character sprites, Matsuno teaches a situation where a display object {character} can be displayed if too large to fit on the screen of the display (col. 10, lines 40-54)." Applicants respectfully disagree.

First, Matsuno does not disclose sprites or any type of sprite-based animation. In other words, Matsuno does not disclose a plurality of graphical images that move independent of one another. Matsuno's video game system discloses a frame-based animation method. Matsuno states:

The graphics processor 15 is provided with a frame buffer (not shown). The graphics processor 15 draws an image in accordance with commands from the controller 11 on the frame buffer. Further the graphics processor 15 generates a video signal for displaying the image data drawn in the frame buffer. The generated video signal is output to the output device 6. (Matsuno, Column 5, Lines 28-34) (Emphasis Added).

Frame buffers are used in frame-based animation as described below:

In the operation of frame-based animation, CPU 12 uses a computer program stored in memory device 14 to write specific pixel values to correct locations in the frame buffer 16. (Specification, Page 5, Lines 16-18).

Essential to frame-based animation is the fact that the CPU 12 creates the pixel data for everything that appears on display frame 22 and stores the resulting image in the frame buffer 16. Then for the next frame, CPU 12 must erase (or write over) the entire frame buffer 16 memory and recreate all of the pixel data for the entire image, even though the image does not change or only changes slightly. (Specification, Page 6, Lines 1-6).

Second, Matsuno does not disclose, teach or suggest a situation where a display object or character can be adjusted if too large to fit on the screen of the display. Matsuno's system enables position to be adjusted, not size. Matsuno discloses a game system which includes a range area surrounding a character. The range area helps keep the player aware of his/her fighting range when playing fighting video games. Matsuno does not disclose, teach or suggest an image which, at any time, is greater in size than the screen size.

In Column 10, Lines 40-54 of Matsuno, Matsuno describes adjusting the coordinate view point position (not the size) of the range area and the character. Matsuno states that "[t]he position of the view point, the angle of the view point, etc. can be adjusted . . ." (Matsuno, Column 10, Lines 44-45) Matsuno also states "that the position of the view point, the angle of the view point, etc. may also be adjusted so that . . ." (Matsuno, Column 10, Lines 51-52)

With respect to change in size, what Matsuno does disclose is increasing the size of the range area while the range area is on the screen. Matsuno states "[a]t that time, the range area 91 is displayed so as to become gradually larger on the display screen 61 centered on the reference coordinate position of the player character." (Matsuno, Column 10, Lines 57- 59). Matsuno does not appear to disclose, teach or suggest the concept of increasing the range area to a size greater than the screen.

In summary, Matsuno does not disclose, teach or suggest a game system which includes a sprite nor does Matsuno disclose, teach or suggest a game system having an image which is greater than the size of the display screen.

Naughton

Naughton discloses an sprite animation method which includes sprite objects layered and one or more background sprites to generate full-motion animation. As stated in the Office Action, Naughton does not disclose a sprite being larger than a dimension of the display frame.

Naka and Stephens

Though the Office Action did not rely upon U.S. Patent No. 5,401,151 to Naka et al ("Naka") or U.S. Patent No. 5,707,288 to Stephens ("Stephens"), Applicants have preliminarily reviewed Naka and Stephens. Naka discloses a video game with graphical sprite images displayed against a playfield. The playfield is larger than the size of the display screen. Naka states that:

The video display can show only a tiny fraction of the entire playfield at any given moment. An entire playfield includes 480 separate screen displays. (Naka, Column 5, Lines 23-25).

In operation of Naka, the "sprites are graphics objects that can move about on the playfield." (Naka, Column 5, Lines 43-44). Applicants submit that Naka does not disclose a moving playfield. In Naka, the graphics objects, such as characters, move relative to the playfield. The scrolling effect described in Naka is accomplished by moving the sprites along the stationary playfield.

Stephens discloses a videogame system including multiple display screen categories designated for designated attributes and a method for changing VRAM to accommodate a larger library of character elements, some of which are sprites. Stephens does not appear to be analogous to the present invention.

For the reasons set forth above, Applicants respectfully submit that the invention defined by Claims 1 to 74 is patentable over the combination of Naughton and Matsuno and is in condition for allowance. Should the Examiner deem it advisable to conduct a telephone interview for any reason, please contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Adam H. Masia
Reg. No. 35,602
P.O. Box 1135
Chicago, Illinois 60690-
1135
Phone: (312) 807-4284

Dated: October 27, 2003